Appl. No. 09/328,667

Attorney Docket No.: 113394

→ USPTO

REMARKS

It is noted that on form PTOL-326 of the Office action of 07/13/2004, both boxes 2a and 2b were checked. It is believed that, in fact, the Office action was not intended to be a final Office action since a) this is a first action on the merits in this application and b) the Examiner's comments do not indicate that this was a final action.

Claims 1-4, 6, 8, 9, 11, 13-18 and 20 were rejected under 35 U.S.C. 103(a). These claims have been canceled. Applicants do not intend such cancellation to be taken as an indication that applicants agree with the basis of the rejection. Applicants thus hereby reserve the right to present these claims, or claims of similar import, in a continuation application.

Claims 5, 7, 10, 12 and 19 were objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten in independent form.

These claims have been rewritten in independent form and thus are submitted to be allowable.

In addition, claim 12 has been amended to correct an error in antecedence. Specifically, claim 12 has been amended at lines 5-6 to recite that the received gate open message has a quality-of-service indicator and has been further amended at line 12 to add the missing word "of".

Reconsideration is requested.

Respectfully,

Charles RoKalmanek, Jr. et al

Ronald D. Slusky

Attorney for Applicant

Reg. No. 26,585

(212) 246-4546

Ronald D. Slusky
Registered Patent Attorney
353 West 56th St.—Suite 5L
New York, N.Y. 10019-3775